



General Assembly

## ***Amendment***

February Session, 2016

LCO No. 4017



Offered by:  
REP. MEGNA, 97<sup>th</sup> Dist.

To: House Bill No. 5520

File No. 289

Cal. No. 213

### ***"AN ACT CONCERNING HOMEOWNERS AND MOTOR VEHICLE INSURANCE POLICIES."***

1 Strike sections 2 to 4, inclusive, in their entirety and insert the  
2 following in lieu thereof:

3 "Sec. 2. Subsection (a) of section 38a-343 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2016*):

6 (a) (1) No notice of cancellation of a policy to which section 38a-342  
7 applies shall be effective unless such notice is sent, except as provided  
8 in subdivision (2) of this subsection, by registered or certified mail or  
9 by mail evidenced by a certificate of mailing, or delivered by the  
10 insurer, to the named insured [,] and any third party designated  
11 pursuant to section 38a-323a, at least forty-five days before the  
12 effective date of cancellation, except that [(1)] (A) where cancellation is  
13 for nonpayment of the first premium on a new policy, at least fifteen  
14 days' notice of cancellation accompanied by the reason for cancellation  
15 shall be given, and [(2)] (B) where cancellation is for nonpayment of

16 any other premium, at least ten days' notice of cancellation  
17 accompanied by the reason for cancellation shall be given. No notice of  
18 cancellation of a policy that has been in effect for less than sixty days  
19 shall be effective unless mailed or delivered by the insurer to the  
20 insured and any third party designee at least forty-five days before the  
21 effective date of cancellation, except that [(A)] (i) at least fifteen days'  
22 notice shall be given where cancellation is for nonpayment of the first  
23 premium on a new policy, and [(B)] (ii) at least ten days' notice shall be  
24 given where cancellation is for nonpayment of any other premium or  
25 material misrepresentation. The notice of cancellation shall state or be  
26 accompanied by a statement specifying the reason for such  
27 cancellation. Any notice of cancellation for nonpayment of the first  
28 premium on a new policy may be retroactive to the effective date of  
29 such policy, provided at least fifteen days' notice has been given to the  
30 insured and any third party designee and payment of such premium  
31 has not been received during such notice period.

32 (2) For a named insured to whom the insurer (A) has delivered or  
33 issued for delivery any such policy for three or more consecutive  
34 years, and (B) has not sent a notice of cancellation to the named  
35 insured or any third party designated pursuant to section 38a-323a  
36 within such time period, the notice required under subdivision (1) of  
37 this subsection shall be sent by registered or certified mail, return  
38 receipt requested, to the named insured and any third party  
39 designated pursuant to section 38a-323a. A policy that is transferred to  
40 an affiliate of the insurer in accordance with the provisions of  
41 subsection (d) of this section within such time period shall be deemed  
42 to be delivered or issued for delivery by the insurer. Nothing in this  
43 subdivision shall be construed to prohibit the insurer from cancelling a  
44 policy in accordance with this section if the return receipt fails to be  
45 signed or returned.

46 Sec. 3. Section 38a-344 of the general statutes is repealed and the  
47 following is substituted in lieu thereof (*Effective October 1, 2016*):

48 Proof of mailing by certified mail, return receipt requested, a notice

49 of cancellation, or of intention not to renew or of reasons for  
50 cancellation, to the named insured, and any third party designated  
51 pursuant to section 38a-323a, at the address shown in the policy, shall  
52 be sufficient proof of notice for the purposes of subdivision (1) of  
53 subsection (a) of section 38a-343, as amended by this act."